

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

FREDRICK METOYER,)	
)	
Plaintiff,)	
)	
v.)	No. 08-4265-CV-C-NKL
)	
JOHN DOE,)	
)	
Defendant.)	

ORDER

On January 13, 2009, United States Magistrate Judge William A. Knox recommended dismissing plaintiff's claims for failure to comply with Rules 3 and 8(a), Federal Rules of Civil Procedure. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C).

The court has conducted a de novo review of the record, including the extremely voluminous filing made by plaintiff which appears to be objections to the recommendation that his complaint be dismissed, and/or, an attempt to cure his failure to submit a proper complaint containing a short and plain statement identifying the court's jurisdiction or how plaintiff is entitled to relief. Plaintiff's filing does not cure the deficiencies of his original complaint. Plaintiff's filing is probably 400 or more pages in length, and although he cites 28 U.S.C. § 1407 as a basis for his complaint, his filing does not support such jurisdiction. Plaintiff's seeking to have his actions from other district courts transferred to the Western District of Missouri in order to "enforce the settlement for venue," against other district courts such as the Southern District of Texas, District Court of New Jersey, and the Northern District of California, is not supported by any understandable legal basis. Further, Case No. 06-02024, filed in the Southern District of Texas, is closed; there is no record of Case No. 1926 in the Northern District of California; and in Case No. 08-4206, filed in the District of New Jersey, leave to proceed in forma pauperis has been denied. Therefore, this court finds the issues raised in plaintiff's exceptions and/or filing, attempting to cure the deficiencies of his original complaint, were adequately addressed in the

report and recommendation. The court is persuaded that the recommendation of the Magistrate Judge is correct and should be adopted. Further, because plaintiff's complaint is frivolous and/or fails to state a claim on which relief may be granted, it is also subject to dismissal, pursuant to 28 U.S.C. § 1915.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of January 13, 2009, is adopted. [4] It is further

ORDERED that plaintiff's claims are dismissed 1) for failure to comply with Rules 3 and 8(a), Federal Rules of Civil Procedure, and 2) pursuant to the provisions of 28 U.S.C. § 1915 as frivolous and/or for failure to state a claim on which relief may be granted.

/s/ _____

NANETTE K. LAUGHREY
United States District Judge

Dated: May 1, 2009
Jefferson City, Missouri